


FORM 5. INVOLUNTARY PETITION

UNITED STATES BANKRUPTCY COURT Northern District of Illinois, Eastern Division		INVOLUNTARY PETITION
IN RE (Name of Debtor - if Individual: Last, First, Middle) Emerald Casino, Inc.	ALL OTHER NAMES Used by debtor in the last 6 years (Include married, maiden and trade names.) HP, Inc.	
SOC. SEC./TAX I.D. NO. (if more than one, state all.) FEIN # 36-380-1844	MAILING ADDRESS OF DEBTOR (if different from street address)	
STREET ADDRESS OF DEBTOR (No. and street, city, state and zip code) 120 N. LaSalle Street, Suite 3300 Chicago, Illinois 60602-3402	COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS Cook	
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (if different from previously listed addresses)		
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11		
INFORMATION REGARDING DEBTOR (Check applicable boxes)		
Petitioners believe: <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts (complete sections A and B)		TYPE OF DEBTOR <input type="checkbox"/> Individual <input type="checkbox"/> Corporation Publicly Held <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation Not Publicly Held <input type="checkbox"/> Other _____
A. TYPE OF BUSINESS (Check One) <input type="checkbox"/> Professional <input type="checkbox"/> Transportation <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Retail Wholesale <input type="checkbox"/> Manufacturing/ <input type="checkbox"/> Construction <input type="checkbox"/> Railroad Mining <input type="checkbox"/> Real Estate <input type="checkbox"/> Stockbroker <input checked="" type="checkbox"/> Other		B. BRIEFLY DESCRIBE NATURE OF BUSINESS Riverboat Gambling Casino Operator
VENUE		
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.		
PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)		
Name of Debtor	Case Number	Date
Relationship	District	Judge
ALLEGATIONS (Check applicable boxes) 1. <input checked="" type="checkbox"/> Petitioner(s) are eligible to file this petition pursuant to 11 U.S.C. § 303(b). 2. <input checked="" type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input checked="" type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute; or b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.		<div style="text-align: center;"> U.S. Bankruptcy Court Northern District Of Illinois </div> FILED: 06/13/02 Time: 11:36 a.m. Debtor: EMERALD CASINO INC Case: 02-22977 Chapter: 7 Rec# 345171 Judge Susan P. Pappas <i>WEDFF</i> 341 mtg: / / : .M. ConfHrg: / / Trustee: Not Known 

Name of Debtor **Emerald Casino, Inc.**
Case No. _____
(Court use only)

TRANSFER OF CLAIM

☐ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents evidencing the transfer and any statements that are required under Bankruptcy Rule 1003(a)

REQUEST FOR RELIEF

Petitioner(s) requests that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information and belief.

X *Donald E. Stephens* Mayor
Signature of Petitioner or Representative (State title)

The Village of Rosemont 6/12/02
Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity
**Donald E. Stephens, Mayor
The Village of Rosemont
9501 West Devon Ave.
Rosemont, Illinois 60018**

X *Frank DiCastro*
Signature of Attorney

Salvatore A. Barbatano/Frank W. DiCastri
Name of Attorney/Firm (if any)

**Foley & Lardner
One IBM Plaza
330 North Wabash Avenue, Suite 3300
Chicago, Illinois 60611
(312) 755-1900**

X _____
Signature of Petitioner or Representative (State title)

Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity

X _____
Signature of Attorney

Name of Attorney/Firm (if any)

X _____
Signature of Petitioner or Representative (State title)

Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity

X _____
Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner	Nature of Claim	Amount of Claim
The Village of Rosemont	Damages arising from breach of lease for real property	\$44,369,523.48
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.		Sub-Total amount of Petitioners' Claims from this page \$44,369,523.4
		Sub-Total amount of Petitioners' Claims from previous page N/A
		Total amount of Petitioners' Claims

FROM

(TUE) 6.11'02 16:59/ST. 16:58/NO. 4862120730 P 2

Name of Debtor

Emerald Casino, Inc.

Case No.

(Court use only)

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X

Signature of Petitioner or Representative (State title)

**Degen & Rosato Construction Co.,
Inc./Power Construction Co., LLC**

Name of Petitioner

Date Signed

Name & Mailing Address
of Individual Signing in
Representative Capacity

**Tom Settles
Degen & Rosato Construction
Co., Inc./Power Construction
Co., LLC
2360 North Palmer Drive
Schaumburg, Illinois 60173**

Signature of Attorney

Eric A. Berg /Janice L. Duban

Name of Attorney/Firm (if any)

**Piper Rudnick
203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601
(312) 368-4000**

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address
of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner
**Degen & Rosato Construction Co.,
Inc./Power Construction Co., LLC**

Nature of Claim
**Services & materials provided
pursuant to construction contract**

Amount of Claim
\$2,220,019.00

Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.

Sub-Total amount of
Petitioners' Claims
from this page **\$2,220,019.00**

Sub-Total amount of
Petitioners' Claims
from previous page **\$44,369,523.48**

Total amount of
Petitioner's Claims

Name of Debtor

Emerald Casino, Inc.

Name of Debtor Emerald Casino, Inc.
Case No. _____
(Court use only)

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X

Signature of Petitioner or Representative (State title)

**Degen & Rosato Construction Co.,
Inc./Power Construction Co., LLC**

Name of Petitioner

Date Signed

Name & Mailing Address
of Individual Signing in
Representative Capacity

**Tom Settles
Degen & Rosato Construction
Co., Inc./Power Construction
Co., LLC
2360 North Palmer Drive
Schaumburg, Illinois 60173**

X

Signature of Attorney

Eric A. Berg /Janice L. Duban

Name of Attorney/Firm (if any)

**Piper Rudnick
203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601
(312) 368-4000**

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address
of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner	Nature of Claim	Amount of Claim
Degen & Rosato Construction Co., Inc./Power Construction Co., LLC	Services & materials provided pursuant to construction contract	\$2,220,019.00
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.		Sub-Total amount of Petitioners' Claims from this page \$2,220,019.00
		Sub-Total amount of Petitioners' Claims from previous page \$44,369,523.00
		Total amount of Petitioner's Claims

Case No. _____

(Court use only)

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X

Signature of Petitioner or Representative (State title)

Christopher B. Burke Engineering, Ltd.

Name of Petitioner

Date Signed

Name & Mailing Address
of Individual Signing in
Representative Capacity

**Christopher B. Burke
9575 West Higgins Road
Suite 600
Rosemont, Illinois 60018**

X

Signature of Attorney

Donald J. Storino

Name of Attorney/Firm (if any)

**Storino, Ramello & Durkin
9501 West Devon, 8th Floor
Rosemont, IL 60018
847/318-9500
847/318-9509 (fax)**

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address
of Individual
Signing in
Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner
Christopher B. Burke Engineering, Ltd

Nature of Claim

**Fees & expenses incurred in
providing engineering & design
services**

Amount of Claim

\$51,650.28

Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.

Sub-Total amount of
Petitioners' Claims
from this page **\$51,650.28**

Sub-Total amount of
Petitioners' Claims
from previous pages **\$46,589.54**

Total amount of
Petitioners' claims

Name of Debtor Emerald Casino, Inc.
Case No. _____
(Court use only)

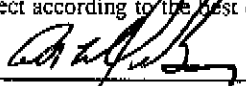
TRANSFER OF CLAIM

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X 
Signature of Petitioner or Representative (State title)

Testing Service Corporation

Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity
Allan DuBose
457 Gundersen Drive
Carol Stream, IL 60188

X 
Signature of Attorney

Donald J. Storino

Name of Attorney/Firm (if any)

Storino, Ramello & Durkin
9501 West Devon, 8th Floor
Rosemont, IL 60018
847-318-9500
847-318-9509 (fax)

X _____
Signature of Petitioner or Representative (State title)

Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity

X _____
Signature of Attorney

Name of Attorney/Firm (if any)

X _____
Signature of Petitioner or Representative (State title)


Name of Petitioner Date Signed

Name & Mailing Address of Individual Signing in Representative Capacity

X _____
Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner	Nature of Claim	Amount of Claim
Testing Service Corporation	Fees and expenses incurred in providing engineering services	\$34,326.24
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.		Sub-Total amount of Petitioners' Claims from this page \$34,326.
		Sub-Total amount of Petitioners' Claims from previous page \$46,641.192.
		Total amount of Petitioners' Claims \$ 

Name of Debtor Emerald Casino, Inc.

Case No. _____
(Court use only)

TRANSFER OF CLAIM

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X

Signature of Petitioner or Representative (State title)

Mackie Consultants

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in
Representative
Capacity

David Shindoll
Vice President
Mackie Consultants
9575 W. Higgins Road
Suite 500
Rosemont, IL 60018

X

Signature of Attorney

Donald J. Storino

Name of Attorney/Firm (if any)

Storino, Ramello & Durkin
9501 West Devon, 8th Floor
Rosemont, IL 60018
847-318-9500
847-318-9509 (fax)

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing
Address of
Individual Signing
in Representative
Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing Address
of Individual Signing in
Representative Capacity

X

Signature of Attorney

Name of Attorney/Firm (if any)

PETITIONING CREDITORS

Name and Address of Petitioner	Nature of Claim	Amount of Claim
Mackie Consultants	Fees and expenses incurred in providing design services	\$28,769.71
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.		Sub-Total amount of Petitioners' Claims from this page \$28,769.
		Sub-Total amount of Petitioners' Claims from previous page \$46,675,519.
		Total amount of Petitioners' Claims \$46,704,288.